

FEB 04 2010

JUDY F. CORCORAN, CLERK  
BY:   
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IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

UNITED STATES OF AMERICA ) INDICTMENT

v. )

KEVIN EUGENE LINEBERRY )

Case No. 7:10-cr-9

Violations:

18 U.S.C. § 922(g)(1)

18 U.S.C. § 922(j)

COUNT ONE

The Grand Jury charges that:

1. On or about December 4, 2008, in the Western Judicial District of Virginia, the defendant, **KEVIN EUGENE LINEBERRY**, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce, one or more of the following firearms, namely, one (1) Remington, model 24, .22 caliber long rifle; one (1) Mitchel model 9304, .22 magnum caliber rifle; and one (1) Winchester, model 94, 30-30 caliber rifle, each of which had been shipped and transported in interstate or foreign commerce.

2. All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT TWO

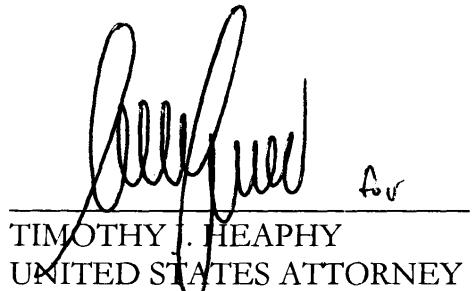
The Grand Jury charges that:

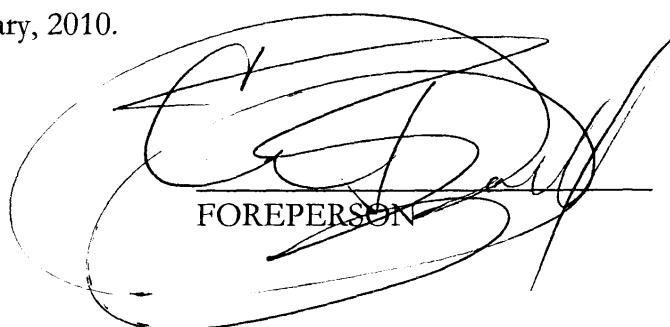
1. On or about December 4, 2008, in the Western Judicial District of Virginia, the defendant, **KEVIN EUGENE LINEBERRY**, did knowingly possess one or more stolen

firearms, namely one (1) Remington, model 24, .22 caliber long rifle; one (1) Mitchel model 9304, .22 magnum caliber rifle; one (1) Winchester, model 94, 30-30 caliber rifle, each of which had been shipped and transported in interstate or foreign commerce, knowing and having reasonable cause to believe the firearm(s) were stolen.

2. All in violation of Title 18, United States Code, Section 922(j).

A True Bill this 1<sup>st</sup> day of February, 2010.

  
TIMOTHY J. HEAPHY  
UNITED STATES ATTORNEY

  
FOREPERSON